

While 02-278 may be adopted to set a "national standard" for telephone privacy laws (a veiled title for less constraints for telemarketers), I believe strongly that any standard set by 02-278 should not preempt or replace existing State standards which meet or exceed this so called national standard. This would not be unusual for a Federal reg to be set up this way. For example, when Federal HIPAA regs were enacted, state insurance departments had to meet at least the minimum federal HIPAA requirements for mandated benefits to citizens, but if existing state requirements already met or exceeded those requirements in that existing state laws gave the same or better benefit to the citizens of that state, then the existing state insurance law was not preempted. I honestly was about to give up having a telephone altogether until Indiana enacted its stricter telemarketing laws. We would often receive 6 or more calls a night right through dinner hour and up to 9PM. Some of these people are very aggressive, tricky, and even argumentative. Some would even say things like "you tell me why you don't want this or why you don't need this." I don't need a reason why and I don't have to talk to them. Sometimes I would say don't call me again and hang up and darn if they didn't call right back to harass me and then hang up. It is my home, my privacy at stake, and sometimes they are just plain mean. Sometimes they speak poor English and I believe weren't even calling from the mainland. After working hard all day and trying to have some quality of life with family in the evening, why do we have to put up with that in the privacy of our own homes. IF the FCC wants to set low standards for do not call rules, I guess that will happen, but PLEASE DO NOT do anything to preempt Indiana's law regarding telephone privacy and telemarketers as it probably meets or exceeds a lower standard that you propose under 02-278. Thank you. Mary Lung